

deceases, donees, alliances or immediate grantors or remote, voluntary or involuntary grantees of John F. Burnam, deceased; the unknown consorts of John F. Burnam, deceased; of Thomas E. Orear, deceased, of Elizabeth D. Hadden, deceased and of Elizabeth Ashely, deceased, and of each of them respectively, whose names and places of residence can not be inserted in said petition for the reason that they are wholly strangers to this plaintiff; that the claims and interests of said plaintiffs, persons and to the real estate hereinafter described and how such claims or interests are affected by said deed, involve persons as far as known by this plaintiff, in four of the unknown consorts, heirs, devisees, donees, alliances or immediate mesne or remote grantors or involuntary grantees of the said Mary Ann McKelvey, deceased, of John J. Crittenden, deceased, of Elizabeth Ashley, deceased, of Andrew McKinley, deceased, of Mary McKelvey, deceased, of Edward Cabell, deceased, of Anna Mary Cabell, deceased, of John McKelvey, deceased, of Isabella McKelvey, deceased, Alexander J. McKelvey, deceased, of Mary Ann McKelvey, deceased, and the unknown endorsed assigns, consorts, heirs, devisees, donees, alliances or immediate mesne or remote, voluntary or involuntary grantees of John F. Burnam; deceased, of John F. Burnam; deceased, of Mary Hadden, deceased, of Thomas B. Orear, deceased, of Elizabeth Ashley, deceased, and each of their respective persons and by virtue of the following facts and defects in the record title thereto, to-wit:- That Thomas Hadden acquired title to Lot One Hundred and seventy-four of the original town, now City of Columbia, Missouri, under and by virtue of a warranty deed dated the 21st day of April, 1830, and that of date duly recorded in Book 330 at page 269 of said deed records, of Boone County, Missouri, but it nowhere appears of record that the said Thomas Hadden ever parted with or conveyed his said title to anyone.

That Mary Hadden on August 30, 1847, being in possession of the west half of lot 174 and claiming to own an undivided one-third interest in the west one-half of said lot, did on said date convey the same by warranty deed to one Thomas E. Power, which said deed appears of record in Book "F" at page 59 of said deed records, but that it does not appear of record whether or not the said Mary Hadden was single or married.

That on the 8th day of March, 1850, John D. Hadden being in possession of the east one-half of said Lot One Hundred and seventy-four and claiming to own an undivided one-third interest in and to the same, did on said date convey the same in said Lot by warranty deed to Thomas E. Power, which said deed appears of record in Book "F" at Page 35 of said deed records, but it does not appear of record whether the said John D. Hadden was single or married.

That on the 16th day of January, 1868, Thomas E. Power, conveying said Mary Hadden, the west one-half of said Lot 174 and claiming to own an undivided one-third interest in said lot, did on said date convey the same by warranty deed to one Richard Crowmwell, which said deed appears of record in Book 34, page 287, of said deed records, but it no where appears in said deed whether or not the said Thomas E. Orear was single or married.

That on the 23rd day of September, 1833, John J. Crittenden and Elizabeth Ashley, wife of Edward C. Cabell and Anna Mary, his wife, being the owners and in possession of all the land hereinafter described, did on said date convey to one John McKelvey, which said deed appears of record in Book "A" at Page 631 of said deed records, but it does not appear of record whether said title to said real estate was defective.

That on the 13th day of March, 1849, Alexander J. McKelvey and Isabella, his wife, being in possession of said lands and claiming to own the same attempted and intended to convey a part of said real estate to one Robert L. Ashely, which said deed, at that date, which said deed appears of record in Book "S" page 144 of said deed records, but that the description contained in said deed was too indefinite to pass the title to said real estate.

That on the 21st day of May, 1849, Alexander J. McKelvey and Mary Ann, his wife, being in possession of said lands and claiming to own the same attempted and intended to convey a part of said lands to one Richard Crowmwell by deed of that date, which said deed appears of record in Book "S" page 144 of said deed records, but that the description contained in said deed was too indefinite to pass title to said real estate.

That on the 15th day of July, 1851, Elizabeth Ashley being in the possession of said real estate, conveyed a part of said lands to one Robert L. Ashely, which said deed appears of record in Book "U" page 89 of said deed record of Boone County, Missouri, but that it does not appear of record whether the said Elizabeth Ashley was single or married at the time of executing the same.

That on the 36th day of August, 1859, John F. Burnam, conveying his wife, being the owners and in possession of said lands, conveyed the same to Robert L. Ashely, in trust to secure the payment to John F. Burnam of \$1,000, the principal of a loan made by him to said Robert L. Ashely, which said deed of trust described in said deed of trust appears of record in Book 18, page 125 of the deed records of Boone County, Missouri; that thereafter the said Frank Burnam paid and discharged said indebtedness, and afterwards, to-wit on February 5, 1860 there appears an attempted release on the margin of the record of said deed, which purports to be the release of the said John F. Burnam, but that said release was not properly attested as release.

And plaintiff further states that the said Thomas Hadden, John J. Crittenden, Elizabeth Crittenden, Andrew McKinley, Mary McKelvey, Edward Cabell, Isabella Cabell, John McKelvey, Isabella McKelvey, Alexander J. McKelvey, Mary McKelvey, John F. Burnam, Mary Hadden, Thomas E. Orear, Elizabeth Ashley and each of them since deceased, as he is informed and believes.

Wherefore ordered by the Clerk of said court, in vacation, that the said defendants be notified by publication that plaintiff, by petition herein filed of record in the Circuit Court of Boone County, Missouri, an action for the purpose of perfecting the record title of the premises by limitation, in and to the foregoing described piece of land lying and being situate in Boone County, Missouri, to-wit:- Lot One Hundred and seventy-four of the original town, now City of Columbia; and by which said action plaintiff seeks to transfer bar and preclude the defendants, from asserting against plaintiff any right or claim in or to said real estate adversely to said plaintiff.

It is further ordered that the said defendant do hereby answer to this court, on first day of the next term thereof, to-wit:- Golden at the Boone County, Missouri, on Monday, the 1st day of June, 1891, to answer or to said petition, or in default thereof judgment will be taken as confessed against said defendant according with the prayer of said petition.

It is further ordered that a copy hereof be published at least once a week in some newspaper suitably designated as a legal organ, a daily newspaper printed, published and circulated in said Boone County, and designated by plaintiff's attorney as likely to give notice to said defendants; the last insertion of said order of publication in said newspaper to be at least fifteen days before the first day of said next term of said court.

A copy from the record:
FN: Copy had as Clerk of the Circuit Court of Boone County, Missouri, the seal of said Court. Done at of Boone County, Missouri, this 11th day of November, 1891.
JAS. E. BOGGS, Clerk.
By R. S. POLLARD, Deputy.

(AL)
Anderson,
for Piff.

Bartlett
Dec. 14th 1891